

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Magdiela Gonzalez, individually and on behalf of  
all others similarly situated,

Plaintiff,

- against -

GOJO Industries, Inc.,

Defendant.

No. 1:20-CV-00888-JMF

ECF CASE

**STIPULATION AND ~~(PROPOSED)~~  
ORDER CONTINUING INITIAL  
PRETRIAL CONFERENCE AND  
SETTING BRIEFING SCHEDULE ON  
DEFENDANT’S ANTICIPATED  
MOTION TO DISMISS**

**WHEREAS**, Plaintiff Magdiela Gonzalez (“Plaintiff”) filed a complaint (the “Complaint”) in the above-captioned action against GOJO Industries, Inc. (“Defendant”) on February 1, 2020;

**WHEREAS**, on February 4, 2020, the Court entered a Notice of Initial Pretrial Conference establishing a deadline of May 7, 2020 for the submission of a Civil Case Management Plan and Scheduling Order, and setting an initial pretrial conference for May 14, 2020 (Dkt. No. 5);

**WHEREAS**, Plaintiff filed a signed waiver of service on April 28, 2020, requiring Defendant to answer, move or otherwise respond to the Complaint on or before June 23, 2020 (Dkt. No. 7);

**WHEREAS**, Defendant is contemporaneously filing notices of appearance with this stipulation and proposed order and has not previously been served with the Court’s February 4, 2020 order;

**WHEREAS**, Defendant presently expects to file a Motion to Dismiss the Complaint and the parties have agreed to a schedule to apply to briefing on that anticipated Motion to Dismiss;



**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED:**

1. The initial pretrial conference scheduled by the Court for May 14, 2020, is hereby adjourned to be reset for a date, at the Court's convenience, following the conclusion of briefing on Defendant's anticipated motion to dismiss.

2. The deadline to submit a Civil Case Management Plan and Scheduling Order is hereby adjourned to be reset by the Court.

3. Defendant ~~anticipates that it~~ will file its motion to dismiss by June 23, 2020. Except as provided below, Plaintiff will file her opposition to any such motion to dismiss no later than July 23, 2020; and Defendant will file its reply to Plaintiff's opposition no later than August 12, 2020.

4. In the event that Plaintiff elects to file an amended complaint prior to the filing of a motion to dismiss, she shall provide Defendant with notice of same prior to June 9, 2020, and the parties shall meet and confer in good faith with regard to a new schedule in this action, with each side preserving all rights to apply to this Court or any other Court of competent jurisdiction for appropriate relief.

5. Nothing in this stipulation and ~~proposed~~ order waives any right that either party has under the Federal Rules of Civil Procedure.



Dated: New York, New York  
May 5, 2020

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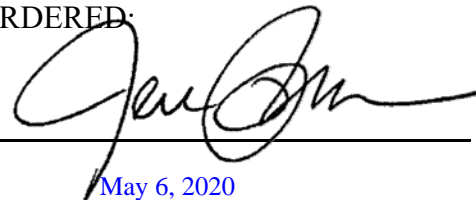
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SO ORDERED:



May 6, 2020

The Clerk of Court is directed to terminate ECF No. 10.